

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

PAUL D. WADE,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-06-785-M
)	
MICHAEL J. ASTRUE, ¹ Commissioner of the)	
Social Security Administration,)	
)	
Defendant.)	

ORDER

On March 28, 2007, United States Magistrate Judge Doyle W. Argo issued a Report and Recommendation [docket no. 17] in this action brought pursuant to 42 U.S.C. § 405(g) for judicial review of Defendant Commissioner of the Social Security Administration's ("Commissioner") final decision denying Plaintiff's application for disability insurance benefits. Magistrate Judge Argo recommends that the Commissioner's decision be affirmed. The parties were advised of their right to object to the Report and Recommendation by April 17, 2007. Plaintiff timely filed his objections.

In his objections Plaintiff asserts that the Magistrate Judge did not adequately consider his arguments that he does not have the residual functional capacity to engage in substantial gainful activity and that the Administrative Law Judge ("ALJ") erred in her credibility analysis. Plaintiff also asserts that the Report and Recommendation does not adequately address the ALJ's analysis of the medical evidence. Having carefully reviewed the Magistrate Judge's Report and Recommendation, Plaintiff's objections, and the administrative record, the Court finds that the


¹As of February 1, 2007, Michael J. Astrue became the Commissioner of the Social Security Administration. Pursuant to Federal Rule of Procedure 25(d)(1) and 42 U.S.C. § 405(g), Michael J. Astrue is substituted for former Commissioner Jo Anne B. Barnhart as the Defendant in this action.

Report and Recommendation accurately states the relevant law, fairly represents the facts contained in the administrative record, and correctly analyzes the interconnection between the two. The Court further finds that the Magistrate Judge adequately considered all of Plaintiff's arguments, and, for the reasons set forth in the Report and Recommendation, that the decision of the Commissioner should be affirmed.

Accordingly, upon *de novo* review, the Court:

- (1) ADOPTS the thorough and well-reasoned Report and Recommendation issued by Magistrate Judge Purcell on March 28, 2007;
- (2) AFFIRMS the Commissioner's denial of Plaintiff's application for disability income benefits; and
- (3) ORDERS that judgment in favor of the Commissioner issue forthwith.

IT IS SO ORDERED this 30th day of April, 2007.



VICKI MILES-LaGRANGE
UNITED STATES DISTRICT JUDGE